

REMARKS

I. CLAIM AMENDMENTS

With this amendment, claims 1-4 and 6-26 are unchanged.

Method claim 5 is amended to add the phrase, “by cooling means” to be more consistent with the language used in apparatus dependent claim 19.

II. RESTRICTION REQUIREMENT

The Office Action identified the following patentably distinct species of the claimed invention:

Group I. Claims 1-14 and 24-26; and

Group II. Claims 15-23.

Applicant hereby elects to prosecute Group II (claims 15-23), with traverse.

A. **Request for Withdrawal of Restriction Requirement**

Reconsideration of the restriction is respectfully requested with respect to Groups I and II since independent claims 1 and 15 have almost identical language and claim the same general inventive concept.

The differences between claims 1 and 15 are underlined below:

1. Method for reshaping a set of conductive elements distributed on the bottom surface of an electronic module, said set of conductive elements forming means to transfer the module onto a motherboard and/or electromagnetic shielding means for the bottom surface of the module and/or electrical interconnection means with the motherboard,

wherein said method comprises a module stress reflow step, in a volume with walls of predetermined shapes, to enable stress release between at least some of the constituent elements of the module, such that the tops of the free ends of the set of conductive elements fit a predetermined two-dimensional or three-dimensional envelope.

15. Device for reshaping a set of conductive elements distributed on the bottom surface of an electronic module, said set of conductive elements forming means to transfer the module onto a motherboard and/or electromagnetic shielding means for the bottom surface of the module and/or electrical interconnection means with the motherboard,

wherein said device comprises module stress reflow means, in a volume with walls of predetermined shapes, to enable stress release between at least some of the constituent elements of the module, such that the tops of the free ends of the set of conductive elements fit a predetermined two-dimensional or three-dimensional envelope.

Restriction is not required by 35 U.S.C. §121, as suggested in the Office Action. Congress granted the *discretion* to restrict applications. According to 35 U.S.C, §121 “... the Commissioner *may* require the application to be restricted....” (emphasis added).

Furthermore, MPEP § 803 lists two criteria that must be present for a restriction to be proper:

- 1) The inventions must be independent or distinct as claimed; and
- 2) There must be a serious burden on the examiner if restriction is required.

In searching the Group I claims, the class and subclass for the Group II claims will undoubtedly be searched, to ensure that no relevant art is overlooked. For this reason, there is no significant burden on the examiner, and certainly no serious burden as required by MPEP §121.

In fact, maintaining the requirement for restriction not only burdens Applicants with the additional costs associated with filing and prosecuting separate patent applications, but also requires the examiner to duplicate efforts by examining multiple applications of closely related inventions. Such practice not only wastes public and private funds and Patent Office resources, but also leads to the possibility of inconsistent examinations of closely related inventions.

B. The Examiner’s Reasoning for Restriction is Moot

With the amendment to claim 5, the Examiner’s reasoning for the restriction as explained in the paragraph bridging pages 2 and 3 of the Office Action is now moot. Claim 5 now requires the cooling step to be performed by cooling means, similar to claim 19.

Accordingly, Applicants respectfully request that the examiner reconsider and withdraw the restriction requirement.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: /David D. Brush/
David D. Brush, Reg. No. 34,557
Suite 1400
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

DDB:akb